

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

In re:

Dayo Bello,

Debtor.

Case No. 13-cv-02519-WSD

Bank of America, N.A.,

Appellant,

v.

Dayo Bello,

Appellee.

**BANK OF AMERICA, N.A.'S STATEMENT OF ISSUE AND
DESIGNATION OF ITEMS TO BE INCLUDED IN THE RECORD ON
APPEAL TO THE ELEVENTH CIRCUIT ON APPEAL**

Appellant Bank of America, N.A. hereby submits this Statement of Issues and Designation of Record On Appeal with respect to this appeal of the final order and judgment of the United States District Court for the Northern District of Georgia (Duffey, Jr., J.), entered on January 2, 2014.

STATEMENT OF ISSUE

Bank of America states that this appeal presents the following issue:

Whether the Bankruptcy Code permits a chapter 7 debtor to “strip off” a junior mortgage lien when the value of the property securing that lien is less than the amount of outstanding debt secured by a senior mortgage lien on the property.

DESIGNATION OF RECORD ON APPEAL

Bank of America designates the following items for inclusion in the record of this appeal:

In re Dayo Bello

Case No. 13-60610-jrs (Bankr. N.D. Ga)

Filing Date	Docket No.	Docket Text
May 14, 2013	7	Motion to Strip Lien with BANK OF AMERICA filed by Lisa Sampson-Roberts on behalf of Dayo Bello. Hearing to be held on 6/25/2013 at 10:00 AM in Courtroom 1404, Atlanta, (Sampson-Roberts, Lisa)
June 24, 2013	11	Response to Motion filed by J. Kelsey Grodzicki on behalf of BANK OF AMERICA, N.A.. (related document(s) 7 Motion to Strip Lien filed by Dayo Bello) (Grodzicki, J.)
June 26, 2013	12	Stipulated Order Resolving Contested Matter Subject to Right of Appellate Review regarding Debtor's Motion to Strip Lien of Bank of America (related document(s) 7 Motion to Strip Lien filed by Dayo Bello) Service by BNC. Entered 6/26/2013 (mjs)

June 27, 2013	13	Notice of Appeal to District Court. Fee Amount \$298 filed by J. Kelsey Grodzicki on behalf of BANK OF AMERICA, N.A.. Appellant Designation due by 7/11/2013, submission due by 7/29/2013, (related document(s) 12 01-Order)(Grodzicki, J.)
July 9, 2013	18	Joint Statement of Issues on Appeal <i>and Designation of the Record on Appeal</i> filed by J. Kelsey Grodzicki on behalf of BANK OF AMERICA, N.A.. (Grodzicki, J.)

Bank of America, N.A. v. Dayo Bello
Case No. 1:13-cv-02519-WSD (N.D. Ga)

Filing Date	Docket No.	Docket Text
August 14, 2013	3	MOTION for Order of <i>Law for Summary Affirmance Subject to Appellate Review</i> with Brief In Support by Bank of America, N.A.. (Attachments: # 1 Exhibit "A" - Stipulated Order, # 2 Text of Proposed Order)(Grodzicki, Joseph) (Entered: 08/14/2013)
Jan. 2, 2014	4	ORDER on the 3 Motion for Summary Affirmance Subject to Appellate Review. The Stipulated Order Resolving Contested Matter Subject to Appellate Review entered by the United States Bankruptcy Court for the Northern District of Georgia on June 26, 2013, is hereby AFFIRMED. Signed by Judge William S. Duffey, Jr on 1/2/2014. (anc) (Entered: 01/02/2014)
Jan. 2, 2014	5	CLERK'S JUDGMENT entered affirming bankruptcy decision (anc)--Please refer to http://www.call.uscourts.gov to obtain an appeals jurisdiction checklist-- (Entered: 01/03/2014)

Jan. 6, 2014	6	NOTICE OF APPEAL as to 5 Clerk's Judgment, 4 Order on Motion for Order, by Bank of America, N.A. Filing fee \$ 505, receipt number 113E-4963768. Transcript Order Form due on 1/21/2014 (Grodzicki, Joseph) (Entered: 1/6/2014)
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Respectfully submitted this 6th day of January, 2014.

/s/ J. Kelsey Grodzicki

J. KELSEY GRODZICKI

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Counsel for Bank of America, N.A.

FONT CERTIFICATION

The undersigned counsel for Bank of America, N.A. hereby certifies that the within and foregoing was prepared using Times New Roman, 14-point font in accordance with LR 5.1(B).

This 6th day of January, 2014.

/s/ J. Kelsey Grodzicki
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CERTIFICATE OF SERVICE

I hereby certify that I have this 6th day of January, 2014, served all parties in this matter with the foregoing by CM/ECF and by placing a true and correct copy of same in the United States Mail, with first-class prepaid postage affixed thereto, properly addressed as follows:

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/s/ J. Kelsey Grodzicki
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